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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE: UBER TECHNOLOGIES, INC.,
PASSENGER SEXUAL ASSAULT
LITIGATION

This Document Relates to:

Jaylynn Dean v. Uber Techs., Inc.,
No. 23-cv-06708

Case No. 3:23-md-03084-CRB (LJC)

**DEFENDANTS UBER TECHNOLOGIES,
INC., RASIER LLC AND RASIER-CA, LLC'S
ADMINISTRATIVE MOTION TO SEAL
DEFENDANT'S UNREDACTED TRIAL
BRIEF**

Judge: Hon. Charles R. Breyer
Courtroom: 6 – 17th Floor

Pursuant to Northern District of California Civil Local Rules 7-11 and 79-5, Defendants Uber Technologies Inc., Rasier LLC, and Rasier-CA, LLC (collectively, “Uber”) respectfully submit this Administrative Motion (“Motion”) to Seal the unredacted version of Defendants’ Trial Brief Regarding Pre-Trial Legal Issues (“Trial Brief”). For the reasons set forth herein, there are compelling reasons to seal the narrowly-tailored proposed redactions in Defendants’ Trial Brief.

I. LEGAL STANDARD

In the Ninth Circuit, courts use one of two standards to decide whether a document supporting a motion should remain under seal—the “compelling reasons” standard or the “good cause” exception. *Amarte USA Holdings, Inc. v. Kendo Holdings Inc.*, No. 22-cv-08958-CRB, 2024 WL 4487404, at *1 (N.D. Cal. Aug. 13, 2024) (citations omitted). When a motion is dispositive, the compelling reasons standard applies. *Id.* “[P]lenty of technically nondispositive motions—including routine motions in limine—are strongly correlative to the merits of a case,” such that the compelling reasons test applies. *Ctr. for Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1099 (9th Cir. 2016).

“‘[B]usiness information that might harm a litigant’s competitive standing [if disclosed]’ meets the compelling reasons standard for sealing.” *Miller v. RP On-Site, LLC*, No. 19-CV-02114-LHK, 2021 WL 624175, at *2 (N.D. Cal. Jan. 8, 2021) (citing *In re Elec. Arts, Inc.*, 298 F. App’x 568, 569 (9th Cir. 2008)); *see also Rodman v. Safeway Inc.*, No. 11-CV-03003-JST, 2015 WL 13673842, at *2 (N.D. Cal. Aug. 4, 2015) (“common-law right of inspection has bowed before the power of a court to insure that its records” are not used as “sources of business information that might harm a litigant’s competitive standing”) (citing *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 598 (1978)); *Lawson v. Grubhub, Inc.*, No. 15-cv-05128-JSC, 2017 WL 2951608, at *9 (N.D. Cal. July 10, 2017) (“Sources of business information that might harm a litigant’s competitive strategy may also give rise to a compelling reason to seal, as may pricing, profit, and customer usage information kept confidential by a company that could be used to the company’s competitive disadvantage.”) (internal alterations and citations omitted); *In re Apple Inc. Device Performance Litig.*, No. 5:18-md-02827-EJD, 2019 WL 1767158, at *2 (N.D. Cal. Apr. 22, 2019) (noting that under the compelling reasons standard, courts have upheld the sealing of “trade secrets, marketing strategies, product development plans, detailed product-specific financial information,

customer information, internal reports and other such materials that could harm a party's competitive standing").

II. ARGUMENT

Uber has established compelling reasons for redacting the requested portions of its Trial Brief, which contain specific details about its confidential and proprietary trip-matching safety assessment technology, called Safety Risk Assessment Dispatch ("S-RAD"). Release of the redacted materials described below to Uber's competitors and the public would result in competitive harm to Uber, which outweighs the public interest in disclosure here.

Uber has previously explained in detail the compelling reasons warranting sealing of information about S-RAD, including in its statement in response to Plaintiff's Administrative Motion to consider whether Uber's material should be sealed in connection with Plaintiff's summary judgment opposition, ECF 4848 at 4-5 ("Statement"). As explained in its prior Statement on the issue: Disclosure of the details concerning S-RAD would cause competitive harm to Uber by allowing its competitors to use that information to Uber's competitive disadvantage and to potentially reverse-engineer the S-RAD technology for their own use; and release of the information could also allow users of the Uber platform or other individuals to take steps to undermine or circumvent S-RAD's effectiveness. *Id.* Uber hereby incorporates the argument in its prior Statement by reference. *Id.*

III. CONCLUSION

Compelling reasons exist for the Court to seal and redact the Uber's Trial Brief. Uber therefore respectfully requests that the Court order that the redacted and sealed version of its Trial Brief be maintained on the docket under seal.

DATED: January 5, 2026

Respectfully submitted,

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